



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32972-2025

Date of Decision:07.07.2025

Ashu @ Bholla

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gagandeep Singh Bajwa, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in a case FIR No. 92, dated 05.11.2024, under Sections 304(2), 317(2),115(2),238 of B.N.S, registered at Police Station Mohkampura, District Amritsar (Annexure P-1).
2. The FIR in the present case was registered on the basis of the statement made by Robin Aggarwal son of Mago Ram and the same has been reproduced below:-

*“Statement of Robin Agarwal son of Mago Ram
Agarwal resident of House No. 1008, Old Lakkar Mandi
Sultanwind Gate Amritsar opposite Agarwal Hospital, Amritsar,
aged 37 years, phone number 7009408890. That I am a resident of
the above address and works at Hotel Great Stay near Jallianwala
Bagh. On 04-11-2024 at around 10:50 pm I sat in the car of my
friend Vikramjit Singh, owner of Hotel Silver Star, Near Jallian-
wala Bagh and came to Ram Talai Chowk where I sat in a battery*

rickshaw and was going for some work in front of house of my friend Varan Rana, resident of Rajinder Nagar, Near Alpha One and the battery rickshaw had just gone a little further then two men (Hair cutting person), came on a black Activa and told the battery rickshaw driver that your money has fallen. The battery rickshaw driver stopped the battery rickshaw. The young man riding the Activa pulled me out of the battery rickshaw and put his hands in my pockets and took out my black wallet, which contained my Aadhaar card, PAN card, a driving license and two ATM cards, but I had no money. Then they started snatching my mobile phone, a MI Note 13 Plus, and I did not give them my mobile phone. They hit me on the head and I was bleeding and they snatched my mobile phone. The battery rickshaw driver got scared and drove away with his battery rickshaw. While I was being beaten up, two passersby came and saved me. and handed over my phone to me after taking it back from the snatchers. Seeing other people gathering, they ran away. Then I brought my brother Vikas Agarwal along with me and got a doctor's appointment and went to the civil hospital for treatment. The doctor treated me and gave me medicine and discharged me. I lost consciousness due to the drug. Now I was coming to you. You have met me and action may kindly be taken”.

3. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and he was wrongly arrested by the police on 06.02.2025 only on the basis of suspicion. He further contends that now, during the course of investigation, the matter has been compromised between the parties vide compromise deed (Annexure P-2).

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that four more cases were ordered to be registered against the petitioner.

5. I have heard the learned counsel for the parties and perused the

record carefully in the present case.

6. In the present case, the petitioner was not initially named in the FIR and has been nominated as an accused on the basis of the supplementary statement made by the complainant in the present case. Except that, at this stage, there is no other evidence against the petitioner. Moreover, the case has been settled between the parties, vide the compromise deed (Annexure P-2).

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender her passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/ Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed

seriously.
(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

07.07.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No